

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

House Bill No. 1378



Introduced by Representatives
DIOSDADO MACAPAGAL ARROYO and GLORIA MACAPAGAL ARROYO

AN ACT
TO PROVIDE FOR SAFE ACCESS IN FIRE EMERGENCIES

EXPLANATORY NOTE

In order to deter crime and other security risks, most of our countrymen resort to window bars especially those residing in low-income areas. But most often than not, this poses a serious threat to their lives and goes against fire safety standards.

According to the Bureau of Fire Protection, those severely affected in fire cases are children, the elderly, persons who are mobility-impaired, and firefighters themselves. They are especially vulnerable to fatalities or injuries involving residential window bars and many people have died trapped as a result. In view of this, there should be a strong campaign to raise public awareness on the risks and casualties of window bar entrapment during residential fires.

While the BFP instills fire prevention through fire sprinklers, smoke detectors, and planned escape routes as main goals of avoiding casualties in residential and commercial fires, there is a need to look further into the hazards of window bars given the numerous incidents in the past which claimed the lives of hundreds of our people.

The proposed measure seeks to give local governments, the Department of Trade and Industry and the Bureau of Fire Protection jurisdiction with respect to releasing systems on residential window bars and to establish a consumer

product safety standard ensuring that all such bars include a quick-release mechanism to avoid untoward accidents in the future.

It is for these reasons the immediate passage of this bill is earnestly requested.



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*Be it enacted by the Senate and the House of Representatives of the
Philippines in Congress assembled:*

SECTION 1. *Short Title.* – This Act shall be known as the “Safe Access in Fire Emergencies Act of 2013.”

SECTION 2. *Declaration of Policy.* – It is hereby declared the policy of the State to ensure the safety of its people against fire emergencies, through establishing measures which will prevent injuries, most especially death.

SECTION 3. *Definition of Terms.* -

“Window Bars” means any metal or other bars, grills, grates, heavy-duty screens, glazing, or other barriers that are designed:

- (1) to cover exterior and interior escape windows in residential dwelling units; and
- (2) to deter any physical security threats to the home, including threats from burglars.

Such term does not include any such barriers that (a) protect children from falling from open windows in upper floors of buildings, and (b) protect nonresidential or commercial properties.

SECTION 4. *Safety Standard for Window Bars.* -

(a) Rulemaking Required – The Department of Trade and Industry (DTI) in cooperation and coordination with the Bureau of Fire Protection (BFP) shall initiate a rulemaking proceeding within 90 days after the date of the enactment of this Act to establish a consumer product safety standard for window bars, except that the DTI and the BFP may extend such 90-day period for good cause. Notwithstanding any other provision of law, the DTI and BFP shall promulgate a final rule establishing such consumer product safety standard within 12 months after the date on which the rulemaking pursuant to this subsection is initiated, except that both may extend such 12-month period for good cause. Such consumer product safety standard shall take effect upon the expiration of the 6-month period beginning on the date on which the final rule establishing such standard is promulgated.

(b) Releasing System Requirement – The standard established pursuant to subsection (a) shall:

(1) require all window bars that are manufactured or installed in the Republic of the Philippines to incorporate releasing systems that meet the minimum standards under subsection (c); and

(2) address releasing systems for interior- and exterior-based window bars.

(c) Minimum Standards for Releasing Systems - The minimum standards under this subsection for releasing systems for window bars shall require that such systems:

(1) when actuated, can move such bars and provide egress to occupants of residential dwelling units equipped with such bars; and

(2) at a minimum, can be actuated manually from the interior of a residential dwelling unit and provide escape through the protected opening.

(d) Consultation - In developing the standard pursuant to subsection (a), the DTI and BFP shall consult with experts, including manufacturers of window bars, housing and building codes authorities, and representatives of the appropriate government agencies, officials in different regions that

have in effect window bar safety standards, and other similar public safety-related organizations.

SECTION 5. *Labeling Requirement.* – The Department of Trade and Industry shall require each manufacturer selling, or offering for sale, in the Philippines, any window bars to include in the packaging for the window bars a written statement clearly explaining how the window bars are to be configured and installed and the inclusion and operation of the releasing system incorporated pursuant to section 4(b).

SECTION 6. *Provision of Data.* – The Department of Trade and Industry and the Bureau of Fire Protection shall establish and maintain a National Electronic Injury Surveillance System (NEISS) code and system for collection of information and statistics on casualties associated with window bars.

SECTION 7. *Separability Clause.* – If any provision or part thereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 8. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 9. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,